

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MELINDIA JACKSON,

Plaintiff,

Case No. 1:15-cv-1203

v.

HON. JANET T. NEFF

AUTO CLUB/MEMBER SELECT
INSURANCE GROUP,

Defendant.

_____ /

OPINION AND ORDER

Plaintiff, proceeding pro se, initiated this civil rights action with the filing of her complaint on November 18, 2015. On March 16, 2016, the Magistrate Judge filed a Report and Recommendation (R&R), recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2)(B) on grounds that the complaint failed to state a claim upon which relief could be granted. The matter is presently before the Court on Plaintiff's objection to the Report and Recommendation. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objection has been made. The Court denies the objection and issues this Opinion and Order.

The Magistrate Judge determined that Plaintiff's two-paragraph complaint "contains conclusions that she was discriminated against by the defendant insurance company" but not any facts that, even if accepted as true, state a plausible claim for relief (R&R, Dkt 7 at PageID.12). Plaintiff's objection merely demonstrates her overall dissatisfaction with the result in this case. The objection does not address the Magistrate Judge's analysis or conclusion and therefore fails to

demonstrate any error in her recommendation. Further, the Court finds the Report and Recommendation to be both factually sound and legally correct under the standards set forth in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

Accordingly, the Court will approve and adopt the Report and Recommendation as its opinion, and a Judgment will be entered consistent with this Opinion and Order. See FED. R. CIV. P. 58. For the above reasons and because this action was filed *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Therefore:

IT IS HEREBY ORDERED that the Objection (Dkt 9) is DENIED and the Report and Recommendation (Dkt 7) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (Dkt 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a) that an appeal of the decision would not be taken in good faith.

This case is CLOSED.

Dated: July 14, 2016

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge